

HON. RICARDO S. MARTINEZ

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

BITTREX, INC., et al.,

Defendants.

2:23-cv-00580 (RSM)

**STIPULATED MOTION AND
[PROPOSED] SCHEDULING
ORDER**

**NOTE ON MOTION CALENDAR:
MAY 19, 2023**

Plaintiff Securities and Exchange Commission (“Plaintiff”), and Defendants Bittrex, Inc., Bittrex Global GmbH, and William Hiroaki Shihara (collectively, “Defendants,” and together with Plaintiff, the “Parties”), by and through their respective undersigned counsel, subject to this Court’s approval, agree and stipulate as follows:

RECITALS

WHEREAS on April 17, 2023, Plaintiff commenced the above-captioned action by filing a Complaint against Defendants;

1 **WHEREAS** Defendants have each agreed to waive service of the Complaint subject to the
2 Parties' reaching an agreement on a proposed schedule for responding to such Complaint;

3 **WHEREAS** the Parties have conferred and agreed to propose to the Court the schedule
4 presented herein;

5 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** as follows:

6 1. Defendants, having agreed to waive service, shall have until June 30, 2023 to
7 answer, file a motion to dismiss, or otherwise respond to the Complaint.

8 2. To the extent one or more Defendants move to dismiss pursuant to Rule 12 of the
9 Federal Rules of Civil Procedure, Plaintiff shall have until August 14, 2023 to file an Opposition,
10 and the moving Defendant(s) shall have until September 8, 2023 to file a Reply.

11 3. The Parties reserve all rights, arguments, claims, and any and all defenses.

12 4. This Stipulation may be executed in separate counterparts, and counterparts may
13 be executed by e-mail or facsimile, each of which shall be an original.

14 **SO ORDERED.**

15 Dated: _____

16
17 _____
18 THE HONORABLE RICARDO S. MARTINEZ
19 UNITED STATES DISTRICT JUDGE

Respectfully submitted on May 19, 2023 by:



See Attached

ANDREW MICHAELSON

DAVID SMITH

KING & SPALDING LLP

Andrew Michaelson
Leigh Nathanson
1185 Avenue of Americas, 35th Floor
New York, NY 10036
Telephone: 212-790-5358
amichaelson@kslaw.com
lnathanson@kslaw.com

SUMMIT LAW GROUP

David Smith
315 5th Ave. South, Suite 1000
Seattle, Washington 98104
Telephone: 206-676-7000
davids@SummitLaw.com

*Lead Counsel for Defendant
Bittrex Global GmbH*

*Local Counsel for Defendant
Bittrex Global GmbH*

See Attached

See Attached

MICHAEL LIFTIK

ALICIA COBB

**QUINN EMANUEL URQUHART &
SULLIVAN LLP¹**

Michael Liftik
1300 I Street NW, Suite 900
Washington, DC 20005
Telephone: 202-538-8141
michaelliftik@quinnemanuel.com

**QUINN EMANUEL URQUHART &
SULLIVAN LLP**

Alicia Cobb
1109 First Avenue, Suite 210
Seattle, Washington 98101
Telephone: 206-905-7000
aliciacobb@quinnemanuel.com

Lead Counsel for Defendant Bittrex, Inc.

Local Counsel for Defendant Bittrex, Inc.

¹ Bittrex, Inc. filed for Chapter 11 bankruptcy protection together with certain affiliates (the "Debtors") on May 8, 2023 in the District of Delaware (Bankruptcy Judge Brendan L. Shannon). Quinn Emanuel Urquhart & Sullivan, LLP is proposed counsel to the Debtors.

Respectfully submitted on May 19, 2023 by:

/s/ Andrew Michael

ANDREW MICHAELSON

KING & SPALDING LLP

Andrew Michaelson
Leigh Nathanson
1185 Avenue of Americas, 35th Floor
New York, NY 10036
Telephone: 212-790-5358
amichaelson@kslaw.com
lnathanson@kslaw.com

*Lead Counsel for Defendant
Bittrex Global GmbH*

/s/ David H. Smith

DAVID H. SMITH

SUMMIT LAW GROUP, PLLC

David Smith
315 5th Ave. South, Suite 1000
Seattle, Washington 98104
Telephone: 206-676-7000
davids@SummitLaw.com

*Local Counsel for Defendant
Bittrex Global GmbH*

/s/ Michael Liftik

MICHAEL LIFTIK

**QUINN EMANUEL URQUHART &
SULLIVAN LLP¹**

Michael Liftik
1300 I Street NW, Suite 900
Washington, DC 20005
Telephone: 202-538-8141
michaelliftik@quinnemanuel.com

Lead Counsel for Defendant Bittrex, Inc.

/s/ Alicia Cobb

ALICIA COBB

**QUINN EMANUEL URQUHART &
SULLIVAN LLP**

Alicia Cobb
1109 First Avenue, Suite 210
Seattle, Washington 98101
Telephone: 206-905-7000
aliciacobb@quinnemanuel.com

Local Counsel for Defendant Bittrex, Inc.

¹ Bittrex, Inc. filed for Chapter 11 bankruptcy protection together with certain affiliates (the “Debtors”) on May 8, 2023 in the District of Delaware (Bankruptcy Judge Brendan L. Shannon). Quinn Emanuel Urquhart & Sullivan, LLP is proposed counsel to the Debtors.

/s/ William McGovern

WILLIAM MCGOVERN

/s/ Gregory J. Hollon

Gregory J. Hollon

KOBRE & KIM

William McGovern

800 3rd Ave, New York,

New York, NY 10022

Telephone: 212-488-1210

William.McGovern@kobrekim.com

McNAUL EBEL NAWROT &

HELGREN PLLC

Gregory J. Hollon

Timothy B. Fitzgerald

600 University Street, Suite 2700

Seattle, Washington, 98101

Telephone: 206-467-1816

ghollon@mcnaul.com

tfitzgerald@mcnaul.com

Lead Counsel for Defendant

William Hiroaki Shihara

Local Counsel for Defendant

William Hiroaki Shihara

/s/Ben Kuruvilla

BEN KURUVILLA

**U.S. SECURITIES AND EXCHANGE
COMMISSION**

Ben Kuruvilla

100 Pearl Street, Ste. 20-100

New York, NY 10004

Telephone: 212-336-5599

Kuruvillabe@SEC.GOV

Counsel for Plaintiff